



**Austin City Council
MINUTES**

**REGULAR MEETING
THURSDAY, JANUARY 27, 2000**

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed.

The City Council of Austin, Texas convened for the morning session on Thursday, January 27, 2000, at City Hall, 124 West 8th Street in Room 304. Items considered were 1-61.

Mayor Watson called the meeting to order at 9:44 a.m. Mayor Pro Tem Goodman was off the dais.

INVOCATION – Father Rick Wilkinson, St. Edward's University

MINUTES

1. Approval of minutes for regular meetings of January 6, and January 13, 2000.
The minutes for the regular meetings of January 6, and January 13, 2000 were approved on Council Member Garcia's motion. Council Member Slusher's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Spelman were off the dais.

Items 2-25 were discussed later in the meeting.

CONSENT ITEMS

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member's Garcia's motion, Council Member Spelman's second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais.

26. Approve a resolution authorizing execution of a construction contract with A & R DEMOLITION, Del Valle, Texas, for demolition/deconstruction of existing structures on

city blocks 3, 21 and 22, as part of the Computer Science Corporation/City Hall Project, in the amount of \$596,000. (Funding is included in the 1998-99 Amended Capital Budget of the Department of Public Works and Transportation.) Low bid of ten. 0% MBE; 42.37% WBE subcontracting participation.

Resolution No. 000127-26 was approved.

27. Approve a resolution authorizing execution of a construction contract with AUSTIN BRIDGE & ROAD, INC., Austin, Texas, for improvements to Giles Lane from US 290 to Blue Goose Road, in the amount of \$3,806,762.80 plus \$190,338.14 contingency, for a total amount not to exceed \$3,997,100.94. (Funding in the amount of \$3,697,100.14 was included in the 1999-2000 Amended Capital Budget of the Department of Public Works & Transportation; \$300,000 was included in the 1999-2000 Approved Capital Budget of the Solid Waste Services Department.) Low bid of five. 26.07% MBE; 8.4% WBE subcontracting participation.

Resolution No. 000127-27 was approved.

28. Approve a resolution authorizing execution of an Interlocal Agreement with THE TEXAS GENERAL SERVICES COMMISSION for the construction of a telecommunications conduit as part of the 15th Street Rehabilitation Project, in the amount of \$36,000. (Funding in the amount of \$36,000 for initial construction is available in the 1999-2000 Amended Capital Budget of the Department of Public Works and Transportation. Reimbursement from the State of Texas will be included in the 2000-2001 Proposed Capital Budget.)

Resolution No. 000127-28 was approved.

Items 29 through 31 were pulled for discussion.

32. Approve a resolution authorizing execution of a 12-month service agreement with ECOLOGY ACTION, Austin, Texas, for the management of a recycling drop-off facility for the Solid Waste Services Department, in an amount not to exceed \$75,000, with four 12-month extension options in the amount not to exceed \$75,000 per extension, for a total contract amount not to exceed \$375,000. (Funding in the amount of \$50,000 was included in the 1999-2000 Approved Operating Budget of the Solid Waste Services Department. Funding for the remaining four months of the original contract period and extension options will be contingent upon available funding in future budgets. Sole Bid. No MBE/WBE subcontracting participation.) (Recommended by Solid Waste Advisory Commission)

Resolution No. 000127-32 was approved.

33. Approve a resolution authorizing an Interlocal Cooperation Agreement Between the City of Austin and the Capital Area Workforce Development Board to provide funding for coordination and facilitation of the Social Equity Initiatives self-sufficiency activities for Austin for a total amount not to exceed \$75,000. The term shall be February 1, 2000 through September 30, 2000. (Funding was included in the 1999-2000 Approved Operating Budget of the Health and Human Services Department.)

Resolution No. 000127-33 was approved.

34. Approve an ordinance authorizing acceptance of \$100,000 in grant funding from the National Recreational Trails Fund sponsored by the Texas Parks and Wildlife Department, to provide improvements to the Emma Long Park Motorcycle Park/Trail; Amend Ordinance 990914-1, the 1999-2000 Operating Budget; Amending the Special Revenue Fund by appropriating \$100,000 in grant funds for the Parks and Recreation Department's Special Revenue Fund. (Funding will be provided by the Texas Recreational Trails Fund sponsored by the Texas Parks and Wildlife Commission. The grant period is November 16, 1999 through December 21, 2000. A grant match of \$25,000 is required and is available in the Fiscal Year 1999-2000 Operating Budget of the Parks and Recreation Department.)

Ordinance No. 000127-34 was approved.

35. Set a public hearing to consider an ordinance amending Chapter 25-8 of the City Code relating to limited redevelopment of certain existing developed sites. (Suggested Date and Time: February 10, 2000 at 6:00 P.M.)

Resolution No. 000127-35 was approved.

36. Adopt a resolution to release Austin extraterritorial jurisdiction to Village of Bee Cave and to accept extraterritorial jurisdiction from Village of Bee Cave.

This item was postponed indefinitely.

37. Set public hearings for the limited purpose annexation of the Avery Ranch tract consisting of 1630 acres and located between the south shore of Brushy Creek and the existing City limits approximately 1.5 miles north of the intersection of FM 620 and Parmer Lane. (Suggested Dates and Times: February 10, 2000 at 6:00 P.M. and February 17, 2000 at 6:00 P.M.)

Resolution No. 000127-37 was approved.

38. Approve a resolution authorizing the City Manager to negotiate and execute the contract for wholesale water service with the Lower Colorado River Authority (LCRA) to the Balfour Planned Unit Development (P.U.D.) located outside the full purpose city limits north of FM 2244, south of Lake Austin, east of the Village of Bee Cave and within the Lake Austin Watershed. (In terms of fiscal impact to the City of Austin concerning the contract, there are four components: a connection fee, a monthly charge, the cost of master meter installation and the volumetric rate. The connection fee, "Balfour Water Connection Fee", for the Lower Colorado River Authority (LCRA) will be paid to the Water and Wastewater Utility (Utility) from the Balfour Service Area customers and therefore, requires no City of Austin (City) expenditures. The Utility is also requesting an amendment to the fee ordinance (Ordinance No. 990914-4) to authorize assessing and collecting the Balfour Water Connection Fee. The monthly charge will have negative 30-year net present value to the City based upon the attached financial analysis. The master meter installation costs will not require City expenditures since the Developer will pay any incurred expenses. The volumetric rate for water delivered will be included in the Utility's

cost of service and those expenses will be recovered through outside City water rates.)
(Recommended by Water and Wastewater Commission)

Resolution No. 000127-38 was approved.

39. Amend Ordinance No. 990914-4, amending the 1999-2000 Approved Fee Schedule by creating a new "Balfour Water Connection Fee" to be assessed for water connection in the Balfour Tract. (The fee collection will be passed on to the LCRA as the water service provider and will not impact the City of Austin Water Utility budget.)

Ordinance No. 000127-39 was approved.

Item 40 and 41 were pulled for discussion.

42. C14-98-0257 – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code rezoning property located southeast of the intersection of Harris Ridge Boulevard and Howard Lane from DR, Development Reserve District zoning to LO, Limited Office District zoning for Tract 1 and LO-CO, Limited Office-Conditional Overlay Combining District zoning with conditions for Tracts 2 & 3, and GR, Community Commercial District zoning for Tracts 4 & 5. First reading on December 2, 1999; Vote 6-0, Lewis Absent. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at first reading. Applicant: Ridge Investors, Ltd. (Darren B. Casey); Agent: Land Strategies, Inc. (Paul Linehan). City Staff: David Wahlgren, 499-6455.

Ordinance No. 000127-42 was approved.

43. C14-98-0258 – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code rezoning property located southeast of the intersection of Harrisglenn Drive and Howard Lane from DR, Development Reserve District zoning to MF-2-CO, Multifamily Residence (Low-Density)-Conditional Overlay Combining District zoning with conditions. First reading on December 2, 1999; Vote 6-0, Lewis Absent. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at first reading. Applicant: Ridge Investors, Ltd. (Darren B. Casey); Agent: Land Strategies, Inc. (Paul Linehan). City Staff: David Wahlgren, 499-6455.

Ordinance No. 000127-43 was approved.

44. C14-98-0210 - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9808 South IH-35 Service Road, from I-RR, Interim Rural Residence District zoning to CS-CO, General Commercial Services-Conditional Overlay Combining District zoning with conditions. First reading on October 7, 1999; Vote 4-0, (Watson, Garcia and Lewis off the dais). Second reading on December 9, 1999; Vote 7-0. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at second reading. Applicant: Dawn Janssen; Agent: Jim Bennett. City Staff: Joe Arriaga, 499-2308.

Ordinance No. 000127-44 was approved.

45. C14-99-0085 - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3102 & 3114 State Highway 71

East, from I-RR, Interim-Rural Residence District zoning to CS-CO, General Commercial Services-Conditional Overlay Combining District zoning with conditions. First reading on August 26, 1999; Vote 7-0. Second reading on December 9, 1999; Vote 7-0. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at second reading. Applicant: Kenny Dryden Investments (Kenny Dryden); Agent: The Faust Group (Bill Faust). City Staff: Joe Arriaga, 499-2308.

Ordinance No. 000127-45 was approved.

46. C14-99-0100 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6601 South 1st Street from GR, Community Commercial District zoning to W/LO, Warehouse/Limited Office District zoning. First reading on December 9, 1999; Vote 7-0. Conditions met as follows: There are no conditions to be met. Applicant: Jessie B. Anderson; Agent: Jim Bennett. City Staff: Joe Arriaga, 499-2308.

Ordinance No. 000127-46 was approved.

47. C14-99-0112 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8816 Cullen Lane, from DR, Development Reserve District zoning to CS-CO, General Commercial Services-Conditional Overlay Combining District zoning with conditions for Tract 1 and LO-CO, Limited Office-Conditional Overlay Combining District zoning with conditions for Tract 2. First reading on October 7, 1999; Vote 6-0, Garcia out of the room. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at first reading. Applicant: Steve Wilder; Agent: Jim Bennett. City Staff: Joe Arriaga, 499-2308.

Ordinance No. 000127-47 was approved.

Item 48 was pulled for discussion.

49. C14-99-2007 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 8916 Cullen Lane from I-RR, Interim-Rural Residence District zoning to CS-CO, General Commercial Services-Conditional Overlay Combining District zoning with conditions for Tract 1 and LO-CO, Limited Office-Conditional Overlay Combining District zoning with conditions for Tract 2. First reading on December 9, 1999; Vote 7-0. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at first reading. Applicant: Thomas W. Nabors; Agent: Jim Bennett. City Staff: Joe Arriaga, 499-2308.

Ordinance No. 000127-49 was approved.

50. C14-99-2013 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6911 U.S. Highway 290 West from DR, Development Reserve District zoning to LR-CO, Neighborhood Commercial-Conditional Overlay Combining District zoning with conditions for Tract 1 and GR-CO, Community Commercial-Conditional Overlay Combining District zoning with conditions for Tract 2. First reading on December 9, 1999; Vote 7-0. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at first reading.

Applicant: Don A. Stewart; Agent: Brown, McCarroll & Oaks Hartline (Jerry L. Harris).
City Staff: Joe Arriaga, 499-2308.

Ordinance No. 000127-50 was approved.

51. C14-99-2030 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2406 & 2408 U.S. Hwy. 183 South from DR, Development Reserve District zoning to CS-CO, General Commercial Services-Conditional Overlay Combining District zoning with conditions. First reading on December 9, 1999; Vote 7-0. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at first reading. Applicant: Out Source Creative (Roland Hernandez). City Staff: Joe Arriaga, 499-2308.

Ordinance No. 000127-51 was approved.

52. C14-99-2031 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4700 Suburban Drive from SF-3, Family Residence District zoning to P-CO, Public District-Conditional Overlay Combining District zoning with conditions. First reading on December 9, 1999; Vote 7-0. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at first reading. Applicant: City of Austin; Agent: Parks & Recreation Department. City Staff: Joe Arriaga, 499-2308.

Ordinance No. 000127-52 was approved.

Item 53 was pulled for discussion.

54. C14H-99-013 - Maverick-Miller House - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 910 Poplar Street from MF-4, Multi-Family Residence (Moderate-High Density) District zoning to MF-4-H, Multi-Family Residence-Moderate (High Density)-Historic Combining District zoning. First reading on November 18, 1999; Vote: 7-0. Conditions met as follows: There are no conditions to be met. Applicant: Estate of Emily M. Wells. Agent: Peter Flagg Maxson. City Staff: Barbara Stocklin, 499-2414.

Ordinance No. 000127-54 was approved.

55. Amend Ordinance number 991104-63 by correcting the legal description for the property locally known as 13160 Pond Springs Road. Case Number C14-99-2036. Applicant: John Fields; Agent: Holford Group. City Staff: David Wahlgren, 499-6455

Ordinance No. 000127-55 was approved.

56. Amend Ordinance number 970515-H by correcting the legal description for the property locally known as South Mopac Expressway and West Slaughter Lane. Case Number C14-96-0160. Applicant: James Monaghan. City Staff: Joe Arriaga, 499-2308.

Ordinance No. 000127-56 was approved.

Item 57 was pulled for discussion.

58. Approve a resolution accepting the recommendations of the Mueller Neighborhood Coalition regarding the proposal of the Austin film society to establish a multi-media support facility at the site of the former Robert Mueller Municipal Airport and directing the City Manager to begin negotiations with the Austin Film Society regarding their proposal. (Mayor Kirk Watson and Mayor Pro-tem Jackie Goodman)

This item was postponed to February 3, 2000.

59. Approve a resolution authorizing the City Manager to begin discussions with First Tee Austin to develop a golf lessons program for disadvantaged youth. (Mayor Kirk Watson and Council Member Gus Garcia and Council Member Willie Lewis)

Resolution No. 000127-59 was approved.

Item 60 was pulled for discussion.

61. Direct the City Manager to commission an urban waterfront planning consultant to develop a proposal for binding development standards for portions of the Town Lake Waterfront Overlay District consistent with the relevant goals and policies provided by the Town Lake Corridor Study and appoint an advisory group to assist the consultant. (Mayor Pro-tem Jackie Goodman, Council Member Beverly Griffith and Council Member William Spelman)

Resolution No. 000127-61 was approved.

Item 62 was the Austin Housing Finance Corporation item

Items 63-64 were Zoning items

Items 65-73 were Citizen Communications

Items 74-77 were public hearings and actions on those items

ADDENDUM

78. APPOINTMENTS

Housing Authority

Charles "Chuck" Bailey

Appointment

Mayor

Carl S. Richie

Reappointment

Mayor

DISCUSSION ITEMS

22. Amend Ordinance No. 990913-2, the 1999-2000 Capital Budget for the Public Works and Transportation Department by creating a new project known as "Riverside at Pleasant Valley Merge Lane" and appropriating \$40,000 to construct the improvements and creating a new project known as "Riverside at Wickersham Turn Lane" and appropriating \$40,000 to construct the improvements. (Funding is available from the Capital Area

Metropolitan Planning Organization (CAMPO). (Recommended by the Planning Commission) (Related to items 23 and 24.)

Ordinance No. 000127-22 was approved on Council Member Lewis' motion, Council Member Garcia's second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais.

23. Approve a resolution authorizing execution of an Interlocal Agreement with the TEXAS DEPARTMENT OF TRANSPORTATION for construction of a westbound U-turn merge lane on Riverside Drive at Pleasant Valley Road, in the amount of \$52,000. (Funding is available in the Fiscal Year 1999-2000 Amended Capital Budget of the Department of Public Works & Transportation.) (Related to items 22 and 24.)

Resolution No. 000127-23 was approved on Council Member Lewis' motion, Council Member Garcia's second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais.

24. Approve a resolution execution of an Interlocal Agreement with the TEXAS DEPARTMENT OF TRANSPORTATION for construction of an eastbound left turn lane on Riverside Drive at Wickersham Lane in the amount of \$52,000. (Funding is available in the Fiscal Year 1999-2000 Amended Capital Budget of the Department of Public Works and Transportation. (Related to items 22 and 23.)

Resolution No. 000127-24 was approved on Council Member Lewis' motion, Council Member Garcia's second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais.

The motion to recess the Council meeting at 10:40 a.m. and go into Executive Session was approved on Council Member Griffith's motion, Council Member Garcia's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Spelman were off the dais.

EXECUTIVE SESSION

10. Discuss legal issues concerning classification and reclassification of positions in the classified service of the Austin Police Department.

Executive session ended at 10:52 a.m. The Mayor called the meeting back to order.

17. Repeal Ordinance Nos. 990913-7 and 991209-48, by establishing the classifications and positions in the classified service of the Austin Police Department. (No additional funding is associated with this change.)

Ordinance No. 000127-17 was approved on Council Member Spelman's motion, Council Member Lewis' second by a 5-0 vote. Mayor Watson and Mayor Pro Tem Goodman were off the dais.

A motion to recess the Council meeting at 11:00 a.m. was approved on Council Member Slusher's motion, Council Member Griffith's second by a 5-0 vote. Mayor Watson and Mayor Pro Tem Goodman were off the dais.

Mayor Watson called the meeting back to order at 11:25 a.m.

BRIEFINGS

2. Computer Sciences Corporation (Related to items 18-21). **The presentation was given by Toby Hammett Futrell, Assistant City Manager, John Stephens, Financial Services, and Richard Heapes, from Streetworks.**

DISCUSSION ITEMS

18. Amend Ordinance #990913-2, the 1999-2000 Capital Budget of the Department of Public Works and Transportation by creating a new account known as "Downtown Retail" and appropriating \$8,354,000. (\$8,354,000 to be reimbursed from the proceeds of long term debt. (Downtown Commission Review 1/18/00 and Planning Commission Review 1/25/00) (Related to items 2, 19-21)
Ordinance No. 000127-18 was approved on Mayor Pro Tem Goodman's motion, Council Member Garcia's second by a 7-0 vote.
19. Approve a resolution declaring official intent to reimburse \$8,354,000 in costs relating to the downtown retail project. (\$8,354,000 to be reimbursed from the proceeds of long term debt.) (Related to items 2, 18, 20, 21)
Resolution No. 000127-19 was approved on Mayor Pro Tem Goodman's motion, Council Member Garcia's second by a 7-0 vote.
20. Amend Ordinance #990913-2, the 1999-2000 Capital Budget of the Department of Public Works and Transportation by creating a new account known as "Retail Reconfiguration" and appropriating \$978,500. (\$978,500 to be reimbursed from the proceeds of long term debt.) (Downtown Commission Review 1/18/00 and Planning Commission Review 1/25/00) (Related to items 2, 18, 19, 21)
Ordinance No. 000127-20 was approved on Mayor Pro Tem Goodman's motion, Council Member Garcia's second by a 7-0 vote.
21. Approve a resolution declaring official intent to reimburse \$978,500 in costs relating to the downtown retail reconfiguration project. (\$978,500 to be reimbursed from the proceeds of long term debt. (Related to items 2, 18-20)
Resolution No. 000127-21 was approved on Mayor Pro Tem Goodman's motion, Council Member Garcia's second by a 7-0 vote.

The City Council recessed the Morning Session an 12:45 p.m. on Council Member Griffith's motion, Council Member Slusher's second by a 7-0 vote, and re-convened at in the Auditorium in the Department of Aviation, Engineering Airfield Operations Building at Austin-Bergstrom International Airport, 2716 Spirit of Texas Drive.

Mayor Pro Tem Goodman called the meeting to order at 2:00 p.m.

EXECUTIVE SESSION

A motion to recess the Council meeting at 2:05 p.m. and go into Executive Session was approved on Council Member Garcia's motion, Council Member Lewis' second by a 6-0 vote. Mayor Watson was absent.

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

Private Consultation with Attorney - Section 551.071

4. Discuss proposed settlement of *In the Matter of the Application of Travis County Municipal Utility District No. 4 for Permit No. 13206-001* (Texas Natural Resource Conservation Commission); *State Office of Administrative Hearings Docket No. 582-99-1261*; *TNRCC Docket No. 1999-0629-MWD*. (This litigation concerns an application by Travis County MUD No. 4 to authorize an increase in the disposal of treated domestic wastewater in the drainage area of Barton Creek in Segment No. 1430 of the Colorado River Basin.)
5. Discuss settlement proposal for *City of Austin v. Austin Airmotive, Ltd., and Richard Serbin, Trustee*, Cause No. 98-2281, in Probate Court No. One of Travis County, Texas.
6. Discuss *City of Austin v. L.S. Ranch Ltd., et al.*, Cause No. 039800542-CV, in the Third Court of Appeals (Austin, Texas). (This litigation concerns development regulations applicable in the Barton Springs Zone.)
7. Discuss *FM Properties Operating Co. v. City of Austin*, Cause No. 98-0685, in the Supreme Court of Texas. (This litigation concerns development regulations applicable in the Barton Springs Zone.)
8. Discuss legal issues concerning a proposal to develop certain land in southwest Travis County and northern Hays County (including Circle C West, Spillar Ranch, Pfluger Ranch, and other properties) and settlement of related litigation. (Proposed Bradley Settlement)
9. Discuss legal issues related to Chapter 245 of the Local Government Code.

Real Property – Section 551.072

11. Discuss acquisition of property for Convention Center Department.

Public Power Utility Competitive Matters - Section 551.086

12. Discuss Power generation resource planning for Austin Energy.
This item was postponed to February 3, 2000.

Mayor Pro Tem Goodman called the meeting back to order at 5:19 p.m.

LIVE MUSIC: Deb Yager

CITIZEN COMMUNICATIONS: GENERAL

65. Robert L. Thomas – Discuss employment and improvement of the Rosewood Park and Recreation Center. - **Absent**
66. Gus Peña – Discuss City Health Clinics and Goggio Consultants Responsibility to the Taxpayers of Austin and the Clinic users. - **Absent**
67. C.Y. Blodgett – Winter Shelter for Homeless of Austin – **Ms. Blodgett was present, but asked for her discussion to be postponed until next week.**
68. Richard Troxell – Homelessness in Austin- **Absent**
69. Jennifer L. Gale – Do You Want to Run for Public Office? “I want to assess your viability as your candidacy.”
70. Barbara Fond – Homeless Shelter- **Absent**
71. Grace Lehto – Drainage
72. Antonio Sosa – Road Building Contractor Has Broken My New Concrete Driveway. They say they will not repair it. - **Absent**
73. Jimmy Castro – Texas 130 Public Hearing

PROCLAMATIONS

Mayor Pro Tem Goodman recessed the City Council meeting at 6:03 p.m.

A Board Meeting of the Austin Housing Finance Corporation (AHFC) was convened.

62. Approve a resolution authorizing the issuance of Austin Housing Finance Corporation Multifamily Housing Revenue Bonds (Village Green project) Series 2000, in an amount not to exceed an aggregate principal amount of \$7,500,000; the form and substance of a trust indenture, a loan agreement, a regulatory agreement with respect to the project; and other matters in connection with the transaction to finance the acquisition and rehabilitation of the Village Green Apartments located at 7224 Northeast Drive, to be owned and operated by Village Green Mutual Housing Corporation, a 501 (c) (3) single purpose Texas non profit corporation, affiliated with Central Texas Mutual Housing Association. (All fees are to be paid by requester or out of the bond proceeds. The Austin Housing Finance Corporation (AHFC) will receive a financing fee of .5% of the amount of the bonds from bond proceeds at closing. The financing fee revenue will not exceed \$37,500.)

Resolution No. 000127-62 was approved on Board Member Spelman’s, Board Member Garcia’s second by a 5-0 vote. President Watson was absent and Board Member Lewis was off the dais.

The AHFC Board Meeting was adjourned on Board Member Griffith's motion, Board Member Spelman's second by a 5-0 vote. President Watson was absent and Board Member Lewis was off the dais.

Mayor Pro Tem Goodman called the Council Meeting back to order at 6:04 p.m.

DISCUSSION ITEMS CONTINUED

31. Approve an ordinance authorizing acceptance of \$500,000 in grant funds from the United States Environmental Protection Agency (EPA) for the Brownfields Cleanup Revolving Loan Program; Amend Ordinance Number 990914-1, the 1999-2000 Operating Budget, amending the Special Revenue Fund by appropriating \$500,000 in grant funds for the Solid Waste Services Department Special Revenue Fund.) (Funding is available from the United States Environmental Protection Agency (EPA). The grant period is October 1, 1999 to September 30, 2002.) (Recommended by Solid Waste Advisory Commission)
Ordinance No. 000127-31 was approved on Council Member Slusher's motion, Mayor Pro Tem Goodman's second by a 5-0 vote. Mayor Watson was absent and Council Member Lewis was off the dais.

57. Approve a resolution requesting that the Texas Railroad Commission deny Alcoa's permit to strip mine in Bastrop County and Lee County. (Council Member Daryl Slusher and Council Member Gus Garcia)
Resolution No. 000127-57 was approved with the friendly amendment shown below on Council Member Slusher's motion, Council Member Garcia's second by a 5-0 vote. Mayor Watson was absent and Council Member Lewis was off the dais. The friendly amendment was that the third "Whereas" in the resolution read, "WHEREAS, Alcoa's Rockdale smelter has obtained special variances allowing it to continue using outdated air pollution technology and practices, making it the largest "grandfathered" air polluter in Texas as documented in the media, and because Alcoa proposes to strip-mine 15,000 acres more of central Texas countryside to continue these operations; and." This was accepted by Council Member Garcia, who seconded the motion.

40. C14-99-0006 - Barton Creek Wilderness Park - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as Loop 1 (Mopac Expressway South) and Gaines Ranch Loop from I-RR, Interim-Rural Residence District zoning, to P, Public District zoning. First reading on July 15, 1999; Vote: 5-0, (Watson-off dais; Garcia-absent). Conditions met as follows: No conditions to be met. Applicant: City of Austin Parks and Recreation Department (Sarah Campbell); Agent: City of Austin Development Review and Inspection Department. City Staff: Susan Villarreal, 499-6319. (Continued from 1/13/00)
Ordinance No. 000127-40 was approved on Council Member Slusher's motion, Council Member Griffith's second by a 5-0 vote. Mayor Watson was absent and Council Member Lewis was off the dais.

41. C14-99-0007 - Barton Creek Wilderness Park - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as the area west of Loop 360 and north of Loop 1 (Mopac Expressway South), from DR, Development Reserve District, I-RR, Interim-Rural Residence District, RR, Rural Residence District, PUD, Planned Unit Development District, SF-2, Single Family Residence (Standard Lot) District, LO, Limited Office District zoning to P-CO, Public-Conditional Overlay Combining District zoning, with conditions. First reading on July 29, 1999; Vote: 7-0. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at first reading. Applicant: City of Austin Parks and Recreation (Sarah Campbell); Agent: City of Austin, Development Review and Inspection Department. City Staff: Susan Villarreal, 499-6319. . (Continued from 1/13/00)
Ordinance No. 000127-41 was approved with the friendly amendments shown below on Council Member Slusher's Motion, Council Member Griffith's second by a 5-0 vote. Mayor Watson was absent and Council Member Lewis was off the dais. Council Member Slusher's friendly amendment includes: that the decision on the access point would come back to the Council for approval; that staff do a briefing on this matter before action is taken; that staff search downstream for some parking tracts so people could have more access to this area but keep it a wilderness area; that the Camp Craft access remain open; and that the representatives of those folks who use the area be involved as the development proceeds. This was accepted by Council Member Griffith who made the second.
76. Conduct a public hearing and consider an appeal of the Sign Review Board's decision to deny a variance request from Section 25-10-123(3)(a) to allow an increase in maximum height of a freestanding sign from 35 feet to 55 feet in height in a GR, Community Commercial zoning district. File Number C16-99-014. City Staff: Susan Walker, 499-2202. (Continued from 12/16/99 and 1/6/00)
This item was postponed by staff to February 3, 2000 on Council Member Garcia's motion, Council Member Slusher's second by a 5-0 vote. Mayor Watson was absent and Council Member Lewis was off the dais.
77. Consider a resolution regarding an appeal of the Sign Review Board's decision to deny a variance request from Section 25-10-123(3)(a) to allow an increase in maximum height of a freestanding sign from 35 feet to 55 feet in height in a GR, Community Commercial zoning district. File Number C16-99-014. City Staff: Susan Walker, 499-2202.
This item was postponed by staff to February 3, 2000 on Council Member Garcia's motion, Council Member Slusher's second by a 5-0 vote. Mayor Watson was absent and Council Member Lewis was off the dais.
48. C14-99-0135 - Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 636 Ralph Ablanado Drive from SF-2, Single Family Residence (standard lot) District zoning to W/LO-CO, Warehouse/Limited Office-Conditional Overlay Combining District zoning with conditions. First reading on December 9, 1999; Vote 7-0. Applicant: Rolando A. Jaimes; Agent: DST Realty (Margaret "Maggy" S. Trevino). City Staff: Joe Arraiga, 499-2308.

The second reading of this ordinance adopting the Planning Commission's recommendation was approved on Council Member Spelman's motion, Council Member Slusher's second by a 5-0 vote. Mayor Watson was absent and Council Member Lewis was off the dais. Council requested the issue of waiving of fees and initiation of a single use permit process be on next week's agenda.

CONSENT ZONING

All of the following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The public hearings were closed and the consent items were approved on Council Member Slusher's motion, Council Member Spelman's second by a 5-0 vote. Mayor Watson was absent and Council Member Lewis was off the dais.

63. C14-99-2058 - Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 2305-2715 Ferguson Lane from I-RR, Interim-Rural Residence District zoning to RR, Rural Residence District zoning. Planning Commission Recommendation: To Grant RR, Rural Residence District zoning. Applicant: City of Austin; Agent: Development Review and Inspection Department. Property Owner: ABGN Corporation and United States Postal Service. City Staff: Katie Larsen, 499-3072. (Continued from 11/18/99)

The first reading of this ordinance was approved.

DISCUSSION ZONING ITEMS

64. C14-99-2075 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 10900 RM 2222 from I-RR, Interim-Rural Residence District zoning to GO, General Office District zoning. Planning Commission Recommendation: To Grant GO-CO, General Office-Conditional Overlay Combining District zoning with conditions. Applicant: James A. & Minnie Jo Chipman; Agent: Lopez-Phelps & Vaughn (Amelia Lopez-Phelps). City Staff: Katie Larsen, 499-3072. (Continued from 12/16/99)

The public hearing was closed on Council Member Garcia's motion, Council Member Slusher's second by a 4-0 vote. Mayor Watson was absent; Council Members Lewis and Spelman were off the dais.

The first reading of this ordinance adopting the Planning Commission recommendation was approved on Council Member Garcia's motion, Council Member Griffith's second by a 5-0 vote. Mayor Watson was absent and Council Member Lewis was off the dais.

DISCUSSION ITEMS CONTINUED

13. Approve a resolution authorizing an amendment to a legal services contract with BRACEWELL & PATTERSON, L.L.P. for legal services in connection with a contested case hearing proceeding on the application of Travis County Municipal Utility District No.

4 (TCM#4) for a permit amendment in an amount not to exceed \$36,000 with a total contract amount not to exceed \$75,000. (Funding is available in the Fiscal Year 1999-2000 Approved Operating Budget for the Watershed Protection Department.) (Related to item 14.)

Resolution No. 000127-13 was approved on Council Member Slusher's motion, Council Member Garcia's second by a 6-0 vote. Mayor Watson was absent.

14. Approve an ordinance adopting a settlement *In the Matter of the Application of Travis County Municipal Utility District No. 4 for Permit No. 13206-001; SOAH Docket No. 582-99-1261; TNRCC Docket No. 1999-0629-MWD*, and permitting the consideration of an administrative variance for cut or fill regulations for the construction of an effluent holding pond under the requirements established by Section 25-8-42(B)(1) and (2) of the City Code. (Related to item 13.)

The first and second readings of this ordinance were approved on Council Member Slusher's motion, Council Member Garcia's second by a 6-0 vote. Mayor Watson was absent. The third reading will be on February 3, 2000.

15. Approve a resolution authorizing a settlement agreement in *City of Austin v. Austin Airmotive, Ltd.*, et al.

This item was postponed indefinitely on Council Member Slusher's motion, Council Member Garcia's second by a 6-0 vote. Mayor Watson was absent.

16. Consider a resolution to set public hearings on a proposal concerning development of certain land in southwest Travis County and northern Hays County (including Circle C West, Spillar Ranch, Pfluger Ranch, and other properties), settlement of related litigation, and action on annexation and ordinance amendments necessary to implement a settlement if approved. (Proposed Bradley Settlement. The litigation concerns development regulations applicable in the Barton Springs Zone.)

Resolution No. 000127-16 was approved with Council Member Slusher's friendly amendment shown below on Council Member Garcia's motion, Council Member Lewis' second by a 6-0 vote. Mayor Watson was absent. The friendly amendment was that if there is no document ready by the date of the next Council meeting scheduled, approval of the document will be moved to the next scheduled Council meeting, March 23, 2000, and the hearing dates will be changed accordingly. It was accepted by both the maker of the motion and Council Member Lewis, who seconded the motion.

30. Approve a resolution authorizing execution of a construction contract with TECOM UST SYSTEMS, INC., Austin, Texas, for installation of two new propane vehicle fuel stations at Service Center No. 1 at Harold Court and Service Center No. 8 at St. Elmo, and improvements to the existing fuel station at Service Center No. 8, in the amount of \$254,661. (Funding was included in the 1999-2000 Approved Capital Budget of General Government for Fleet Services Fuel Site Improvement and Equipment.) Low bid of two. .55% MBE; 1.29% WBE subcontracting participation.
Resolution No. 000127-30 was approved with the friendly amendment shown below on Council Member Garcia's motion, Council Member Slusher's second by a 6-0 vote. Mayor Watson was absent. The friendly amendment was that this construction contract would not be effective until the company had received their Hazmat permit and planning exemption. It was accepted by both the maker of the motion and Council Member Slusher.
29. Approve a resolution authorizing execution of a construction contract with AUSTIN BRIDGE AND ROAD, Austin Texas, for street and utility improvements on Loyola Lane, from Walnut Creek to the Longhorn Railroad, in the amount of \$3,426,954.35 plus \$175,000 contingency, for a total amount not to exceed \$3,601,954.35. (Funding in the amount of \$3,338,936.02 was included in the 1991-1992 Amended Capital Budget of the Department of Public Works and Transportation; \$2,327.48 was included in the 1998-1999 Amended Capital Budget of the Department of Public Works and Transportation; \$260,690.85 was included in the 1999-2000 Amended Capital Budget of the Water and Wastewater Utility.) Low bid of seven. 34.6% MBE; 8.4% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)
Resolution No. 000127-29 was approved on Council Member Lewis' motion, Council Member Slusher's second by a 6-0 vote. Mayor Watson was absent.
25. Approve a resolution authorizing execution of an Interlocal Agreement with the TEXAS DEPARTMENT OF TRANSPORTATION for the purchase of a clean air van for the pedestrian and bicycle program in the amount of \$35,000; Authorize acceptance of an additional \$28,000 in grant funds from the Texas Department of Transportation Congestion Reduction Management Grant Program; Amend Ordinance No. 990914-1, the 1999-2000 Operating Budget of the Public Works and Transportation Department special revenue fund by creating a new project known as Clean Air Van and appropriating \$28,000. (Funding in the amount of \$28,000 is available from the Capital Area Metropolitan Planning Organization; \$7,000 (20% matching funds) is available in the 1999-2000 Operating Budget of the Public Works and Transportation Department.)
Resolution No. 000127-25A and Ordinance No. 000127-25B were approved on Council Member Lewis' motion, Council Member Garcia's second by a 6-0 vote. Mayor Watson was absent.
53. C14H-99-0007 - Lots 12-14 of Pressler Street - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 615, 701 and 703 of Pressler Street from SF-3-H, Family Residence-Historic Combining District zoning to SF-2, Single-Family Residence (Standard Lot) District

zoning for Tract 1 and SF-2-H, Single-Family Residence (Standard Lot)-Historic Combining District zoning for Tract 2 with conditions. First reading on November 18, 1999; Vote: 6-0-1, Goodman abstained. Conditions met as follows: There are no conditions to be met. Applicant: Heritage Society of Austin. Agent: Richard Suttle, Jr. City Staff Barbara Stocklin, 499-2414. Note: A valid petition has been filed in opposition to this rezoning request.

Ordinance No. 000127-53 was approved on Council Member Lewis' motion, Council Member Spelman's second by a 6-0 vote. Mayor Watson was absent.

PUBLIC HEARINGS

74. Conduct a public hearing for the full purpose annexation of the 99-acre Preserve at River Place, located on the east side of River Place Boulevard and north of the River Place Municipal Utility district.

The public hearing was closed on Council Member Spelman's motion, Council Member Garcia's second by a 6-0 vote. Mayor Watson was absent.

75. Conduct a public hearing for the full purpose annexation of the Regents Tract (approximately 164 acres located along Foster Ranch Road, a ½ mile north of Southwest Parkway.)

The public hearing was closed on Council Member Garcia's motion, Council Member Spelman's second by a 5-0 vote. Mayor Watson was absent and Council Member Slusher was off the dais.

A motion to recess the Council meeting at 8:32 p.m. and go into Executive Session was approved on Council Member Garcia's motion, Mayor Pro Tem Goodman's second by a 5-0-1 vote. Mayor Watson was absent. Council Member Spelman abstained.

A motion to suspend the rules and allow the meeting to go past 10:00 p.m. and allow both the Church and the neighborhood ten minutes each for discussion was approved on Council Member Slusher's motion, Council Member Garcia's second by a 4-0 vote. Mayor Watson was absent and Council Members Griffith and Spelman were off the dais.

BRIEFINGS

3. Neighborhood Planning Process, Plans, Conservation Combining Districts and Process. (Related to item 60)

A presentation was given by Richard Suttle, the agent for Hyde Park Baptist Church.

DISCUSSION ITEMS CONTINUED

60. Consider an ordinance to adopt an interim development control for the property within the Hyde Park Civic Neighborhood Conservation Combining District (generally described as the property between East 38th and East 41st, between Avenue C and Avenue G) and

declaring an emergency. (Council Member Daryl Slusher and Mayor Pro-tem Jackie Goodman) (Related to item 3)

Ordinance No. 000127-60 was approved with the following changes on Council Member Slusher's motion, Council Member Griffith's second by a 5-0-1 vote. Mayor Watson was absent. Council Member Spelman abstained. Marty Terry, Assistant City Attorney, provided Council with the following changes: Part 1 should read, "The City Council finds that ambiguities may exist in the agreement between the Hyde Park Baptist Church and the Hyde Park Neighborhood Association reached in August, 1990 and in the Hyde Park Civic NCCD." 2 and 3 be deleted. 4 becomes the new 2 and should read, "Council wishes to provide all the stakeholders an opportunity to resolve those ambiguities." Part 2 should read, "The City Manager is directed to facilitate discussions among the stakeholders to identify and address those ambiguities and report to the Council no later than March 7, 2000." If Council wants to prevent all demolitions, then part 5, after the word structure, add the following words, "and except for Subsection 7 of Section 25.2.2." Part 9, the expiration provisions, should be changed to read, "This ordinance expires on March 3, 2000. " The maker of the motion, Council Member Slusher, and Council Member Griffith, who seconded the motion, accepted these changes.

ADJOURNED at 10:52 p.m. on Council Member Slusher's motion, Council Member Garcia's second by a 5-0 vote. Mayor Watson was absent and Council Member Spelman was off the dais.

These minutes were approved on February 3, 2000 on Council Member Garcia's motion, Council Member Slusher's second by a 4-0 vote. Mayor Pro Tem Goodman and Council Members Griffith and Spelman were off the dais.